

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the application of: Richard John ELLIS

Serial No.: 09/486,403

Filed: February 25, 2000

For: ORDER CHARGE SEPARATION AND
ORDER-CHARGE TYPE SEPARATION

Attorney Docket No.: FHW-058US

Group Art Unit:

Examiner:

Assistant Commissioner for Patents

BOX PCT

Washington, D.C. 20231

Certificate of Express Mailing

I hereby certify that the form, identified herein, is being deposited by me with the United States Postal Service "Express Mail Post Office to Addressee" service, Mailing Label No. EL589740738US, under 37 CFR 1.10, on the date indicated below and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231

October 19, 2000

Date

By: 

Ilidio P. Cardoso

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Dear Sir or Madam:

Responsive to the *Notification of Missing Requirements Under 35 U.S.C. 371* dated April 19, 2000, the response period of which is extended to October 19, 2000 by the accompanying Request for Extension of Time, in connection with the above-referenced patent application, an executed *Declaration, Petition and Power of Attorney* is submitted herewith.

10/24/2000 LLANDGRA 00000009 09486403

01 FC:128
02 FC:1541890.00 OP
130.00 OP


Re: U.S.S.N. 09/486,403

A check in the amount of \$130.00 is enclosed to cover the surcharge fee set out in 37 CFR 1.492(e).

Please charge any additional fees or credit any overpayments associated with this correspondence to Deposit Account No. 12-0080. A duplicate copy of this paper is enclosed. If there are any problems, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicant

28 State Street
Boston, MA 02109
(617) 227-7400

Date: October 19, 2000

09/486408



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09/486408 U.S. APPLICATION NO.	5611 FIRST NAMED APPLICANT	R ATTY. DOCKET NO. FHW-058US
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ANTHONY A LAURENTANO
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON MA 02109

DOCKETED

INTERNATIONAL APPLICATION NO. 02562

I.A. FILING DATE 07/26/98 PRIORITY DATE 08/26/97

May 19, 2000 - Miss Reg. & Cath. in Decl. on
Oct 19, 2000 - E.S.P.

04/19/00

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☐ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☒ Translation of the international application into English.

☒ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 25 FEB 2000 and

☒ Information Disclosure Statement(s) filed 25 FEB 2000 and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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